

### **Remarks**

In view of the above amendments and the following remarks, reconsideration of the rejections and further examination are requested.

The specification and abstract have been reviewed and revised to make a number of editorial revisions thereto. A substitute specification and abstract including the revisions have been prepared and are submitted herewith. No new matter has been added. Also submitted herewith are marked-up copies of the specification and abstract indicating the changes incorporated therein.

Claim 56 has been indicated as containing allowable subject matter. The Applicants would like to thank the Examiner for this indication of allowable subject matter.

Claims 51-58 have been rejected under 35 U.S.C. §101. Claims 51-58 have been canceled without prejudice or disclaimer to the subject matter contained therein. As a result, withdrawal of this rejection is respectfully requested.

Further, claims 39-43, 49, 59-63, 69 and 71-76 have been canceled without prejudice or disclaimer to the subject matter contained therein.

In addition, claims 44-48, 50, 64-68 and 70 have been amended to make a number of editorial revisions thereto. These revisions have been made to place the claims in better U.S. form. None of these amendments have been made to narrow the scope of protection of the claims, or to address issues related to patentability, and therefore, these amendments should not be construed as limiting the scope of equivalents of the claimed features offered by the Doctrine of Equivalents.

Claims 39, 40, 59 and 60 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Tada (JP 11-134795) in view of Ito (US 5,719,985) and Otaka (US 6,044,198). Claims 41, 43, 61 and 63 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Tada in view of Ito and Otaka and further in view of Arai (US 6,169,844). Claims 42 and 62 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Tada in view of Ito, Otaka and Arai and further in view of Fries (US 6,317,885). Claims 44, 45, 48-50, 55, 64, 65, 68-70 and 73-76 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Arai in view of Otaka. Claims 46, 47, 57, 58, 66, 67, 71 and 72 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Arai in view of Otaka and further in view of Fries. Claim 51 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Arai in view of Otaka and

Ito. Claim 52 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Arai in view of Otaka and Ito and further in view of Tada. Claims 53 and 54 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Arai in view of Otaka and Ito and further in view of Fries.

The above-mentioned rejections are respectfully traversed and submitted to be inapplicable to the pending claims for the following reasons.

Claim 44 is patentable over the combination of Arai and Otaka, since claim 44 recites a method including, in part, selecting one of N channels; recording video data of the selected channel in a video frame on an optical disk; and recording audio data of the N channels with the video data of the selected channel in each video frame. The combination of Arai and Otaka fails to disclose or suggest the recording of audio data as recited in claim 44.

Arai discloses an optical disk apparatus that is able to process a plurality of television broadcast signals SVA to SVD (i.e., channels SVA to SVD) that each includes a video signal and an audio signal. The apparatus includes a number of compressors 7A to 7D that respectively correspond to the broadcast signals SVA to SVD. The compressors 7A to 7D perform compression by MPEG encoding the video signals and the audio signals of the broadcast signals SVA to SVD, respectively, and output corresponding encoded data DFA to DFD. The apparatus also includes a multiplexer 8 which selectively outputs one of the encoded data DFA to DFD at a time, thereby multiplexing the encoded data DFA to DFD. (See column 2, line 25 – column 3, line 14 and Figures 2A and 2B).

Based on the above discussion, it is apparent that the multiplexer 8 does multiplex the encoded data DFA to DFD, each of the encoded data DFA to DFD including video data and audio data. However, as admitted in the rejection, Arai fails to disclose or suggest that the audio data of all of the encoded data DFA to DFD (i.e., channels) is recorded with the video data of one of the encoded data DFA to DFD that is selectively output by the multiplexer 8. Instead, the audio data of each of the encoded data DFA to DFD is exclusively maintained with its corresponding video data. As a result, the rejection relies upon Otaka as disclosing the recording of audio data as recited in claim 44.

Regarding Otaka, it discloses a format for storing data in frames on a magnetic tape 126. Each frame is comprised of ten tracks TR1 to TR10 and each of the tracks TR1 to TR10 includes an insertion information data area 200, an audio data area 201, a video data area 202, a sub-code

data area 203, and guard areas 211-214 provided between the previously mentioned areas. (See column 12, lines 16-41 and Figure 7).

In the rejection, it appears that the inclusion of audio data in the audio data areas 201 of the ten tracks TR1 to TR10 is relied upon as corresponding to the recording of the audio data of the N channels with the video data of the selected channel in each video frame. However, it is apparent from the disclosure in Figures 1-4 of Otaka that the audio data, video data and sub-code data stored in the audio data areas 201, video data areas 202, and sub-code data areas 203 of a single frame on the magnetic tape 126 are associated with each other (i.e., from a same channel) based on how they multiplexed together by a data multiplexer 117. There is no disclosure or suggestion that the audio data areas 202 of a frame store audio data from each of a number of channels that are being stored on the magnetic tape 126. As a result, Otaka fails to address the deficiency of Arai, and the combination of Arai and Otaka fails to render claim 44 obvious.

Further, it is submitted that Tada, Ito and Fries, which are relied upon in the above-mentioned rejections, also fail to disclose or suggest the above-discussed feature of claim 44.

Regarding claims 50, 64 and 70, they are patentable over the references relied upon in the rejections for reasons similar to those set forth above in support of claim 44. That is, claims 50, 64 and 70 each recite, in part, that audio data of all channels is recorded with the video data of at least a selected channel, which feature is not disclosed or suggested by the references.

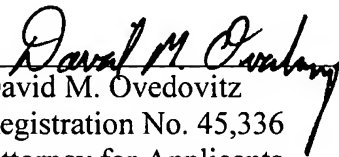
Because of the above-mentioned distinctions, it is believed clear that claims 44-48, 50, 64-68 and 70 are allowable over the reference relied upon in the rejections. Furthermore, it is submitted that the distinctions are such that a person having ordinary skill in the art at the time of invention would not have been motivated to make any combination of the references of record in such a manner as to result in, or otherwise render obvious, the present invention as recited in claims 44-48, 50, 64-68 and 70. Therefore, it is submitted that claims 44-48, 50, 64-68 and 70 are clearly allowable over the prior art of record.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance. The Examiner is invited to contact the undersigned by telephone if it is felt that there are issues remaining which must be resolved before allowance of the application.

Respectfully submitted,

Kenji KOISHI et al.

By:

  
David M. Ovedovitz  
Registration No. 45,336  
Attorney for Applicants

DMO/jmj  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
December 28, 2006